

Fiscal Note

State of Alaska
2021 Legislative Session

Bill Version:	CSSB 15(JUD)
Fiscal Note Number:	2
(S) Publish Date:	4/21/2021

Identifier: SB015CS(CRA)-LAW-CIV-DAG-3-10-21
Title: OPEN MEETINGS ACT; PENALTY
Sponsor: COSTELLO
Requester: (S) Judiciary

Department: Department of Law
Appropriation: Civil Division Except Contracts Relating to
Interpretation of Janus v AFSCME
Allocation: Deputy Attorney General's Office
OMB Component Number: 2205

Expenditures/Revenues

Note: Amounts do not include inflation unless otherwise noted below.

(Thousands of Dollars)

	FY2022 Appropriation Requested	Included in Governor's FY2022 Request	Out-Year Cost Estimates				
OPERATING EXPENDITURES	FY 2022	FY 2022	FY 2023	FY 2024	FY 2025	FY 2026	FY 2027
Personal Services							
Travel							
Services							
Commodities							
Capital Outlay							
Grants & Benefits							
Miscellaneous							
Total Operating	0.0	0.0	0.0	0.0	0.0	0.0	0.0

Fund Source (Operating Only)

None							
Total	0.0	0.0	0.0	0.0	0.0	0.0	0.0

Positions

Full-time							
Part-time							
Temporary							

Change in Revenues

None							
Total	0.0	0.0	0.0	0.0	0.0	0.0	0.0

Estimated SUPPLEMENTAL (FY2021) cost: 0.0 (separate supplemental appropriation required)

Estimated CAPITAL (FY2022) cost: 0.0 (separate capital appropriation required)

Does the bill create or modify a new fund or account? No
(Supplemental/Capital/New Fund - discuss reasons and fund source(s) in analysis section)

ASSOCIATED REGULATIONS

Does the bill direct, or will the bill result in, regulation changes adopted by your agency? No
If yes, by what date are the regulations to be adopted, amended or repealed?

Why this fiscal note differs from previous version/comments:

Not applicable, initial version.

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Phone: (907)465-3674
Date: 03/10/2021
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FISCAL NOTE ANALYSIS

STATE OF ALASKA
2021 LEGISLATIVE SESSION**Analysis**

This bill creates a process for a person to file an administrative complaint with the Alaska Public Offices Commission (APOC) against a person for knowingly violating the Alaska Open Meetings Act, and for APOC to assess a civil penalty of up to \$1,000 if a respondent is found to have engaged in a violation.

The committee substitute creates a parallel authority for the attorney general if a person files a complaint alleging that a member of APOC knowingly violates the Open Meetings Act. The attorney general is required to provide the respondent notice and the opportunity to be heard. After a hearing, the attorney general must determine whether the respondent engaged in a violation and, if so, the attorney general must assess a civil penalty of up to \$1,000. A respondent may appeal the attorney general's decision to the superior court. The attorney general is required to adopt regulations to implement this process, including regulations addressing investigations and hearings.

The Department of Law anticipates that this work would be relatively minimal and can be absorbed by existing staff. The department does not anticipate a fiscal impact from this legislation.